

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of I.S.M., L.T.M.S, S.R.S., C.R.C.,
R.S.C., and N.G.M., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TONYA PATRICE MILLER,

Respondent-Appellant,

and

RONALD CALDWELL, A/K/A DONALD
CALDWELL, and ORRIN TIMOTHY SLAPPY,

Respondents.

UNPUBLISHED

May 22, 2003

No. 242752

Wayne Circuit Court

Family Division

LC No. 00 389,373

Before: Whitbeck, C.J., and White and Donofrio, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(A) and (E)(1)(b).

The trial court did not clearly err in finding that at least one statutory ground was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principal condition that led to the adjudication was respondent-appellant's lack of suitable housing for the children while she was in drug treatment. At trial, the evidence indicated that although respondent-appellant had completed a drug treatment program, she had not successfully addressed her drug problem. The evidence established that respondent was delinquent in her aftercare. She remained cross addicted to alcohol and was unable to maintain sobriety. She had not complied with required drug screens, admitted a relapse into crack use, and at the time of trial admitted that she was still drinking. Respondent-appellant also continued to lack suitable housing for the children at the time of trial. The evidence also did not show that respondent-appellant would be able to provide proper care for the children in a reasonable time. Despite completing parenting classes, respondent-appellant experienced no

improvement in her parenting or anger management skills. She was inappropriate and loud with the children during supervised visitation and during unsupervised visitation resorted to violence with two of the children. On another occasion she took the children to the home where the eldest had been sexually assaulted. Respondent-appellant's failure to undertake individual counseling despite a court order directing her to do so indicates little likelihood of future improvement. The same evidence indicates that the children would be likely to suffer harm if returned to respondent-appellant's care.

Given respondent-appellant's lack of progress in the critical areas of mental health counseling, drug addiction, and parenting skills, the evidence also did not show that termination of her parental rights would clearly not be in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407).

Affirmed.

/s/ William C. Whitbeck

/s/ Helene N. White

/s/ Pat M. Donofrio